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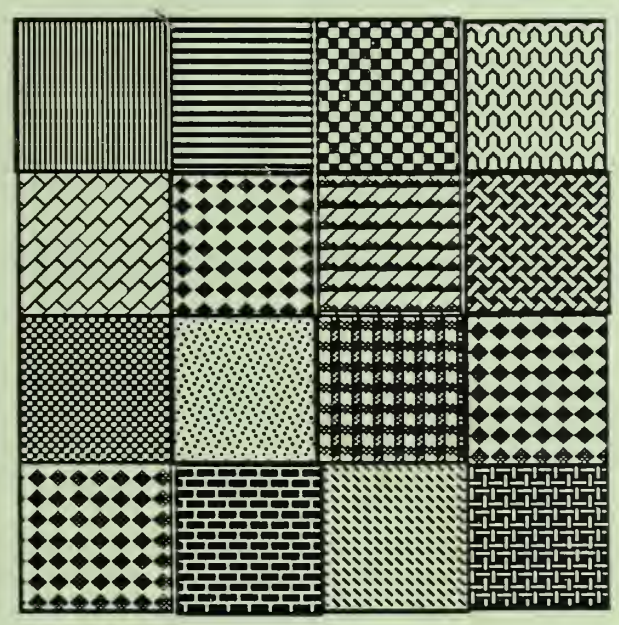

Careers in Mediation

A packet of materials assembled by the
MASSACHUSETTS DISTRICT COURT MEDIATION PROGRAM

Mediation Program
Administrative Office of the District Court
Holyoke Square, Salem, MA 01970,
508/745-9010

-912/191

CAREERS IN MEDIATION

In response to the growing interest in careers in mediation, the MASSACHUSETTS DISTRICT COURT MEDIATION PROGRAM offers the following information and advice:

1. **Training and education.** The key to quality mediation service is good training. Learn the skills and ethics required of a mediator. Training and knowledge can be acquired in several ways.

Community mediation programs. Most community mediation programs offer 30-hour or longer training courses once a year. Often these courses are free to those who volunteer for the program. Sometimes a fee is charged. Most mediation centers operate on small budgets and look to their volunteers for various forms of assistance and support in addition to mediating. You must contact the program directly to inquire about the type of training they are conducting and who is eligible to apply. Many programs try to build a pool of mediators that reflects the population they serve. As a consequence, they may seek volunteers who live in the community, who come from certain ethnic or racial backgrounds or who have special language capacities. Consult the enclosed list of community mediation programs for the centers nearest to your work or home.

Colleges, universities and other schools. Training or classes are also available at some colleges and universities or from community agencies which offer educational courses. For more information, contact the educational institution of your choice or one of the following programs:

- *UMass/Amherst, Legal Studies Program, Mediation Project, 221 Hampshire House, Amherst, MA 01003, (413) 545-1640. (The UMass/Amherst Mediation Project provides courses and opportunities for training and service to students attending the university.)*

- *UMass/Boston, Graduate Program in Dispute Resolution, Law Center, Down town Campus, Boston, MA 02125, (617) 287-7370. (UMass offers a Graduate Certificate Program in Dispute Resolution which focuses upon negotiation, mediation, theories of conflict and resolution, advanced negotiation and mediation, and the opportunity for an internship where one can practice skills. A bachelors degree or equivalent is required.)*

- *Program on Negotiation at Harvard Law School, 513 Pound Hall, Harvard Law School, Cambridge, MA 02138, (617) 495-1684. (PON offers spring and fall seminars which provide a survey of the mediation and negotiation fields.)*

- *Middlesex Community College Law Center, 650 Suffolk Street, Wannalancit Mill, Lowell, MA 01852, (508) 937-6636. (The Law Center offers a paralegal program which includes mediation training and the opportunity for an internship where one can practice skills.)*

Private consultants. Many private consultants offer mediation training for a fee. To learn about the availability of such training, contact the organizations listed below. Ask to be put on the mailing lists of various newsletters that feature alternative dispute resolution activities.

Journals. Mediators never stop learning. Read everything you can on the subject, subscribe to journals and keep abreast of ongoing and emerging issues. The Program on Negotiation at Harvard publishes a quarterly journal, *The Negotiation Journal,* and the Academy of Family Mediators publishes *The Mediation Quarterly*. The addresses for both of these organizations are listed below under "Networking."

2. **Experience.** The most difficult goal to accomplish may be gaining actual experience. If you are fortunate enough to become part of a community mediation program, volunteer as often as possible. Other methods of gaining a better understanding of mediation include finding opportunities to observe the process, apprenticing with experienced mediators, watching videos and engaging in mock role plays. Do whatever you can to gain experience, whether real or vicarious.

3. **Networking.** Attend conferences and workshops. Join associations. Meet with others who share your interests. Ask to be put on the following organizations' mailing lists:

MASSACHUSETTS

- *Massachusetts Association of Mediation Programs, 133 Federal Street, 11th Floor, Boston, MA 02111, (617) 695-6088. (MAMP is an association of over 30 local non-profit mediation programs. MAMP publishes a quarterly newsletter, holds periodic conferences and provides technical assistance to local programs. Individuals may become members.)*

- *Massachusetts Council on Family Mediation, 1330 Beacon Street, Suite 355, Brookline, MA 02146, (617) 730-8088. (The MCFM is an association of individual mediators who specialize in family matters such as divorce or parent-child conflicts.)*

- *Massachusetts District Court Mediation Program, Administrative Office of the District Court, Holyoke Square, Salem, MA 01970, (508) 745-9010. (The District Court Mediation Program supports the growth of mediation in the District Court through technical assistance. The program maintains a clearinghouse of information about all aspects of mediation.)*

- *Program on Negotiation, Harvard Law School, 500 Pound Hall, Cambridge, MA 02139, (617) 495-1684. (The PON at Harvard Law School acts as an umbrella agency for several mediation and negotiation projects. The PON publishes a newsletter and a quarterly journal, The Negotiation Journal. It also operates a clearinghouse of materials about mediation and negotiation.)*

- *Society for Professionals in Dispute Resolution, Boston branch, c/o American Arbitration Association, 133 Federal Street, 11th Floor, Boston, MA 02111, (617) 451-6650. (The Boston branch of SPIDR holds periodic workshops about mediation, arbitration and other forms of alternative dispute resolution. Meetings are open to the public.)*

NATIONAL

- *Academy of Family Mediators, P. O. Box 10501, Eugene, Oregon 97440, (503) 345-1205. (The AFM publishes a newsletter, holds an annual conference, offers printed and audio-visual materials and has developed standards for family mediators.)*

- *American Bar Association, Committee on Dispute Resolution, 1800 M Street, N.W., Washington, DC 20036, (202) 331-2258. (The ABA operates a clearinghouse, runs conferences, provides technical assistance and publishes a periodic newsletter, various publications about mediation and a national directory of programs.)*

- *National Institute for Dispute Resolution, 1901 L Street, N.W., Suite 600, Washington, D.C., 20036, (202) 466-4764. (NIDR provides grants and technical assistance to mediation and alternative dispute resolution programs and researchers. They also publish a variety of materials and a periodic Forum which focus on an issue of interest to the field.)*

- *Society for Professionals in Dispute Resolution, 1100 Connecticut Avenue, N. W., Suite 700, Washington, D.C. 20036-4101, (202) 833-2188. (SPIDR is an association of dispute resolvers from all backgrounds--labor, family, environmental, community, etc.--which holds an annual conference, publishes a quarterly newsletter, and has local chapters which conduct events in their own region.)*

4. Creativity. In most instances you must create your own place in the mediation profession. Conceive of the field as broadly as possible--negotiation, organizational development, systems analysis, human resource development, etc. Consider taking a job in a large organization and slowly building a conflict resolution component. Move into an area (content or geographic) where there is a need for conflict resolution, but no service. Be prepared to move through, around, under, inside and over obstacles. As you navigate, remember to model what you are trying to promote. Listen. Be flexible. Discover your own and others' interests. Be inventive. Watch for the positives.

5. Perseverance. At present, the number of persons wishing to mediate far exceeds the demand for the service. Nevertheless, some are crafting careers in the field. Do not expect everything to fall in place at once. Training may not be available when you want it. Volunteer opportunities may be hard to find. Only a few make their complete living by mediating. Unless you are independently wealthy, do not give up your current means of survival. Keep on trying.

How is mediation being used?

Everywhere. Here is a sampling:

- **Family**: parent/child, divorce, couples, roommates
- **Neighbors:** boundaries, noise, respectful language, pet behavior, gangs
- **Business/consumer**: small claims, civil cases, family businesses, debt collection
- **Labor:** grievances, contracts
- **Education**: special education, peer mediation in elementary & secondary schools, higher education
- **Housing:** landlords & tenants, housing developments, condominiums
- **Medical**: medical staff, doctor-patient relations, provider-insurer
- **Elderly**: nursing homes, benefits
- **Multicultural**: new populations, cultural differences
- **Public policy**: environmental, negotiated investment strategies, water use
- **International:** treaties, water rights, trade agreements

(Contact: Albie Davis, Director of Mediation, District Court, Holyoke Square, Salem, MA 01970, (617) 745-9010.)

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DISPUTE RESOLUTION RESOURCES

APOM News
Asia-Pacific Organization for Mediation Secretariat
c/o BLGS, Dept. of Local Government
PNCC Building, EDSA corner Reliance St.
Mandaluyong, Metro Manilla
PHILIPPINES

GOVERNMENT/PRIVATE FOUNDATION

Mediation News
Academy of Family Mediators
P.O. Box 246
Claremont, CA 91711

SPIDR News
Society for Professionals in Dispute Resolution
P.O. Box 5007
Huntington Beach, CA 92615

Bimonthly Newsletter
Divorce Mediators, Inc.
12021 Wilshire Boulevard, Suite 111
Los Angeles, CA 90025

Mediation Quarterly
Academy of Family Mediators
5248 Boyd Avenue
Oakland, CA 94618

ACJ Newsletter
National Association for Community Justice
149 9th Street
San Francisco, CA 94103

Civil Justice Roundtable
Rand Corporation, Institute for Civil Justice
1700 Main Street
Santa Monica, CA 90406

Administrative Conference News
Office of the Chair
Administrative Conference of the U.S.
2120 L Street, NW
Washington, DC 20037

Dispute Resolution Forum
National Institute for Dispute Resolution
1901 L Street, NW
Washington, DC 20036

Resolve
The Conservation Foundation
1717 Massachusetts Avenue, NW
Washington, DC 20036

Bulletin
American Judicature Society
200 West Monroe, Suite 1606
Chicago, IL 60606

VORP Network News
VORP Resource Center
910 Washington Street
Michigan City, IN 46360

The Family Mediator
Family Mediation Association
9308 Bulls Run Parkway
Bethesda, MD 20814

Newsletter
National Academy of Conciliators
5530 Wisconsin Avenue, Suite 1130
Chevy Chase, MD 20815

Arbitration Times
American Arbitration Association
140 West 51st Street
New York, NY 10020

The Art of Negotiation
Negotiation Institute Inc.
230 Park Avenue
New York, NY 10169

Conflict Newsletter
Institute for Mediation and Conflict Resolution, Inc.
49 W. 68th Street
New York, NY 10017

Court Reform
Fund for Modern Courts, Inc.
36 West 14th Street
New York, NY 10036

Grapevine
Joint Strategy & Action Committee Inc.
475 Riverside Drive, Room 450
New York, NY 10115

Quarterly Newsletter
Call for Action
575 Lexington Avenue
New York, NY 10022

COPRED Peace Chronicle
Center for Conflict Resolution
George Mason University
4400 University Drive
Fairfax, VA 22030

Insight
BBB Foundation
1515 Wilson Boulevard
Arlington, VA 22209

Conciliation Court Review
Assoc. of Family and Conciliation Courts
c/o National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23085

Campaign Update
National Peace Academy Campaign
110 Maryland Avenue, NW, Suite 409
Washington, DC 20002

DISPUTE RESOLUTION RESOURCES

Florida Dispute Resolution Newsletter
Florida Dispute Resolution Center
Supreme Court Building
Tallahassee, FL 32399

The Mediator
Neighbor to Neighbor Justice Center
1810 Bull Street
Savannah, GA 31401

ADR Trends and Abstracts
Hawaii State Jusiciary
Ali'iolani Hale
P.O. Box 2560
Honolulu, HI 96804

The Center Letter
c/o Neighborhood Justice Center of Honolulu
200 N. Vineyard Boulevard, Suite 501
Honolulu, HI 96817

Concurrence
Illinois Environmental Consensus Forum
1201 West Nevada Street
Urbana, IL 61801

Newsletter
Center for Community Justice
220 W. High Street
Elkhart, IN 46516

Michigan Family Mediator
Michigan Council for Family and Divorce Mediation
24901 Northwest Highway, Suite 510
Southfield, MI 48075

DRC Quarterly
Dispute Resolution Center
265 Oneida Street
St. Paul, MN 55102

The Mediation Center Newsletter
408 County Court House
Asheville, NC 28801

The N.C. Mediator
Mediation Network of North Carolina
P.O. Box 217
Pittsboro, NC 27312

The New York Mediator Newsletter
Community Dispute Resolution Centers Program
Agency Building 4, 10th Floor
Empire State Plaza
Albany, NY 12203

Newsletter
The Center for Dispute Resolution
67 Chestnut Street, Suite 510
Rochester, NY 14604

Oregon Mediation Association Newsletter
P.O. Box 501
Eugene, OR 97440

CACJ Newsletter
Community Alternatives in Criminal Justice
411 S. Burrowes
State College, PA 16801

Quarterly Newsletter
Conflict Resolution Center, Inc.
7514 Kensington Street
Pittsburgh, PA 15221

The Mediation Messenger
Neighborhood Justice, Inc.
301 San Jacinto, First Floor
Houston, TX 77002

INTERNATIONAL

The Asia Foundation Quarterly
P.O. Box 3223
San Francisco, CA 94119

Signal
International Association for Conflict Management
Seve Musser, Ed
Messiah College
Grantham, PA 17027

ADR Association of Australia
University of Sydney
173-175 Philip Street
Sydney 2000 AUSTRALIA

Resolution
Australian Commercial Disputes Centre Limited
Remington Centre, Level 21
175 Liverpool Street
Sydney, N.S.W. 2000
AUSTRALIA

Community Justice Report
Network for Community Justice and Conflict Resolution
298 Frederick Street
Kitchener, Ontario N2H 2N5
CANADA

The Mediator
c/o Douglas Chalke
700 West Georgia Street, #1245
Box 10010
Vancouver, BC V7Y 1C6
CANADA

La lettre de la boutique de droit
Boutique de droit de lyon
45 rue Smit
69 002 Lyon
FRANCE

Mediation-FIRM
c/o Rose Riddick
Coventry Reparation Scheme
4 Grosvenor Mews
Grosvenor Road
Coventry CV1 3FZ
West Midlands, GREAT BRITAIN

• A Mennonite Central Committee U.S. Peace Section Publication
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• Vol. 6
• No. 1

Careers in Dispute Resolution

conciliation quarterly newsletter

Editor's Notes

So you want to be a mediator. Or perhaps you've been thinking about part-time work in some aspect of alternative dispute resolution. Or maybe you're just curious about developments in this new field.

The "field" of alternative dispute resolution (ADR) is extremely diverse and is rapidly growing. It may be more accurate to talk about ADR as a process which is being applied in a variety of areas in our society. This issue of the Conciliation Quarterly will give you a sense of the diversity of opportunities to work in ADR in North America.

In the lead article, "Making the Switch," I ask attorney Larry Hoover about his personal experiences as a lawyer/mediator. Larry's pilgrimage is not atypical. Few trained mediators can jump into a mediation practice full-time, but while in transit most are able to continue to use mediation skills in their personal and professional lives.

Professional mediator Ed Hartfield offers guidance to would-be mediators in "Pursuing Career Paths." We've devoted several pages to "Finding a Field," an overview of developments and opportunities in ADR. And in case any reader is tempted to jump too quickly on the ADR bandwagon, Dean Peachey, an experienced criminal justice mediator, cautions that mediation is not now nor should it become a "megatrend."

We suspect that a few of you are indeed seriously interested in part or full time work in the ADR field. If so, you'll want to read the review of the workbook, Starting Your Own Mediation Practice, on page eight.

Our regular columns include upcoming training and seminar opportunities ("Bulletin Board"), and Ron Kraybill's thoughts on being a Christian in a secular, professional world ("Directors' Circle").

Don't overlook the back page. MCS has just released a cassette series, "When You Disagree...," that's designed to improve your ability to deal effectively with conflict. Readers of the Conciliation Quarterly will have the first opportunity to order a set.

In our Spring issue, due out in April, we'll look at "Higher Education Opportunities in Alternative Dispute Resolution." If this issue helps confirm your interest in an ADR career, the Spring issue will give you some ideas on where and how to prepare for it. Please keep in mind that we welcome your comments and criticisms for the "Idea Exchange" column. Write:

Dave Brubaker
Editor, Conciliation Quarterly
21 S. 12th St.
Akron, PA 17501

In This Issue

Making the Switch, p. 2
Pursuing Career Paths, p. 3
Finding a Field, p. 4
Mediation as Megatrend, p. 7

In Every Issue

Worth Reading, p. 8
Bulletin Board, p. 9
Directors' Circle, p. 10

Over the next generation, I predict that society's greatest opportunities will lie in tapping human inclinations toward collaboration and compromise rather than stirring our proclivities for competition and rivalry. If lawyers are not leaders in marshalling cooperation and designing mechanisms which allow it to flourish, they will not be at the center of one of the most creative social experiments of our time. —Harvard President Derek Bok, quoted in "Mediation and the Legal System," by Larry Hoover.

Making the Switch

The personal pilgrimage of a lawyer/mediator.

Larry Hoover is a partner in the law firm of Hoover, Hoover, Penrod and Davenport of Harrisonburg, Virginia. Larry and Pat Hoover have five children, and attend the First Church of the Brethren, also in Harrisonburg. For the past five years, Larry has been increasingly involved in alternative dispute resolution, while continuing with his law practice. Larry agreed to share some insights from his ongoing personal pilgrimage with readers of the Conciliation Quarterly.

C.Q. Larry, could you describe for us how your interest in mediation developed?

Larry It goes back to 1980, when I began reading a good bit about the position of my church on the issue of war and peace. In particular, the book that meant the most to me was Dwell in Peace, by Ron Arnett. For the first time, I became clear about peacemaking as a way of life, and as something very empowering and very powerful. I found to my surprise that I really was in touch with my roots, and found myself for the first time a committed pacifist.

In 1980 I found to my surprise that I really was in touch with my roots, and I found myself for the first time a committed pacifist.

The summer of 1980 I met a friend and told him what was going on inside of me. Within a year this friend invited me to help him organize a seminar on mediation at Mary Baldwin College in Staunton, Virginia. One of the persons that we invited to the seminar was Ron Kraybill. That experience got me started. Before the day was over I had committed myself to co-teach a class at Mary Baldwin on conflict resolution.

C.Q. Describe some of your present activities in the field of conflict management.

Larry My main activities are in teaching, training, and doing mediation. This will be the third year that I have taught a seminar on negotiation and mediation at Washington and Lee Law School. Beginning in March, I will be teaching a class at Bridgewater College, as part of a new peace studies program. I had some reluctance about taking on another thing, but it seems so right for me to be doing this work in my church college.

On the training side, I have been doing a lot of training of local volunteer mediators, of state employees and of persons in Church of the Brethren circles. In the last two months of 1986 I was in Pennsylvania, Maryland and Iowa, doing workshops in Brethren churches. I'm also a part of the Virginia chapter of the Mennonite Conciliation Service.

In actual mediation, I have been doing my share of cases as a volunteer mediator for the Community Mediation Center in Harrisonburg, Virginia. I also do some mediation of separation and divorce issues in my law practice, perhaps a dozen cases so far. I had done some traditional family law practice, and it had been very unsatisfying to me. Mediation is a way to avoid using the adversarial process, in which relationships tend to deteriorate. It involves people in a process that is about relationship *building*.

C.Q. Do you think it is possible for a person to make a living in the field of mediation?

Larry As you probably know that's a subject of discussion at every national meeting on mediation. For myself, I feel that if I could get clear on what I want to do in this field then I could make a living at it. It's a matter of really being clear and creative, and the rest would flow naturally from that. It requires a lot of risk-taking, and some cutting of ties, and that doesn't come easily for me.

C.Q. Larry, I'm also aware that you have had strong international interest and experience. Could you elaborate on your international work.

Larry I graduated from law school in 1959, and after a few years went into the Foreign Service, and served for eight years as a lawyer with the Department of State. Five of those years I was abroad, living in the Philipines and then in Geneva, Switzerland. After that I came back and joined my father in the law firm.

Mediation is a way to avoid using the adversarial process, in which relationships tend to deteriorate. It involves people in a process that is about relationship building.

My international interest and peace commitment led me to involvement with a group called Moral ReArmament (MRA). MRA promotes dialogue and reconciliation internationally as well as in the family and the local community. I have travelled extensively in connection with my association with MRA, several times to Switzerland, as well as to India and Central America. Last summer we presented a six-day workshop at Caux, Switzerland, focusing on conflict management skills. I was also in Costa Rica in 1984, and Nicaragua in 1985, primarily for MRA conferences. I am convinced that the collaborative processes we learn in mediation have real applicability to the conduct of international relations in a way that we don't now experience it.

C.Q. What are some of the difficulties you have dealt with in moving from a primarily adversarial process like law to a primarily collaborative process like mediation?

Larry My law practice, by and large, has been a collaborative process. Over the years I have developed a practice that allowed us to be collaborators, and as I have learned some mediation skills it has helped enormously in fine tuning what I was already doing.

My main struggle has been with how far this work is leading me. With my growing involvement in mediation training and practice, I have in effect created what felt like two full time jobs for myself. I would like to do more in mediation, but I still have commitments to my partners and financial responsibilities to my family. Yet there's a part of me that would like to become more totally absorbed in mediation, which may ultimately mean I will move away from the established law practice.

One of the paradoxes is that these skills work so well in a law practice, and I feel that I'm a much better lawyer as a result of having learned to be a good mediator. This makes me question whether I'm meant to stay in the law firm, practice my new skills and try to gradually build up a mediation "practice," or whether I should use *all* my energy to work for something to which I am deeply committed.

One of the paradoxes is that mediation skills work so well in a law practice, and I feel that I'm a much better lawyer as a result of having learned to be a good mediator.

C.Q. Larry, you've given us a number of helpful comments. Is there anything you would like to say in conclusion?

Larry Perhaps what has been most valuable is learning to get over the fear of conflict, which mediation training has enabled me to begin to do. I can illustrate this with a story about a client I was working with recently who had just lost her husband. I was helping her with her husband's estate, and she asked me some questions about insurance benefits. I agreed to help by contacting her insurance agent. But soon I discovered that the agent was irate over my intruding into his turf and the client became upset with both of us.

A few weeks later I found myself sitting across the table from this agent at a meeting. After the meeting I stopped him and raised the issue about our common client. He let loose with an angry stream of comments. I responded with skills I have learned in mediation, including paraphrasing. It worked. What then came out was that the woman's husband who had recently died was a good friend of his. The agent was sad and hurt over the loss of his friend, and doubly hurt that his friend's widow did not seem comfortable in working with him. As we parted he thanked me for talking with him, and said he was very relieved to get it off his chest.

A few years ago I would have handled that differently. I would probably have been defensive, blaming the other person for causing the upset. It would not have occurred to me to confront the other person directly. It gives me hope to know that mediation skills can be incredibly powerful if we integrate them into our own lives. I was able to give the agent a gift by allowing him to get rid of the heaviness that comes when you build up a lot of bitterness and tension about a situation. And we were able to restore our relationship. It illustrated that there is a creative way to deal with conflict on a daily basis that is extremely satisfying.

Pursuing Career Paths

An experienced federal mediator offers guidance to would-be mediators

Ed Hartfield is a mediator with the Federal Mediation and Conciliation Service (FMCS), which has 214 mediators in 78 cities. At the Society of Professionals in Dispute Resolution (SPIDR) Conference in Chicago last October, Ed Hartfield spoke at a workshop titled, "Career Opportunities in Dispute Resolution: Paths and Pitfalls." In his presentation, Mr. Hartfield offered the following suggestions for persons wanting to enter the dispute resolution field:

1. Understand that the central process of dispute resolution is *negotiation*. You must understand how negotiation works, and that mediation is an extension of the negotiation process.

2. Get *training*. Take advantage of every kind of training opportunity, whether in negotiation, mediation, or other aspects of conflict management. Also, many universities and law schools now offer dispute resolution programs.

3. Get *experience*. Volunteer at a community mediation center. Dispute resolution is not for everyone, there is potential for serious consequences and pain. Experience the process, find out if it is really for you.

4. Be a *generalist*. know the liberal arts. While the traditional route to labor mediation is through personnel collective bargaining, one also needs a broad background.

5. *Join* professional organizations in the field, such as SPIDR, the American Arbitration Association (AAA), the Academy of Family Mediators. Read their newsletters and go to their events. Get to know people in the field.

6. Get a *mentor* or sponsor. Get several! Work for them, volunteer for them, observe how they work.

7. Be *patient*. It takes time to acquire experience and become professionally recognized in this field, or any other. Credentials will help you get in the door, but then you must rely on your own conduct and confidentiality.

Finding a Field

An overview of 10 areas of opportunity for mediation and other methods of alternative dispute resolution

Following is a synopsis of current developments and professional opportunities in 10 different fields where mediation and other types of alternative dispute resolution (ADR) have established a significant niche. Our purpose is to describe opportunities that might be found, and to offer names and addresses of organizations active in each area.

Several factors limit this endeavor. First, we draw primarily from U.S. data and resources. Second, due to space limitations we decided to make this listing illustrative rather than comprehensive. This means that in each sector we may be overlooking other significant groups or individuals.

Business/Consumer

A rapidly growing field for alternative dispute resolution is in inter-corporate disputes, consumer complaints and employee/employer disagreements. For example, the insurance industry sponsors "intercompany arbitration," in which professional arbitrators determine the financial liability of each insurance company in a multi-vehicle accident. And many Better Business Bureaus or county offices sponsor some form of mediation for consumer complaints against local merchants.

Most major corporations and a growing number of smaller businesses have established in-house grievance policies to process complaints from their employees. Many of these procedures stipulate that an ombudsperson, mediator or arbitrator be brought in at some stage of the process. The role of the third party varies significantly from organization to organization. Ombudspersons, for example, are expected to listen to aggrieved employees and to conduct a thorough and impartial review of the complaint. The ombuds profession has been steadily rising, and there are now an estimated five to six thousand ombudspersons in the U.S. and Canada.

To gain more information about these opportunities, you may want to consider joining the Society of Professionals in Dispute Resolution, known as SPIDR. (Refer also to directories published by the National Institute of Dispute Resolution, NIDR, and the American Arbitration Association, ABA, for names of other organizations in this field.) SPIDR functions as an umbrella association of neutrals active in various fields, including labor, business and consumer. As a "Subscriber" ($40 per year) you would be eligible to receive SPIDR publications and attend its national and regional meetings. Write or call:

SPIDR National Office
1730 Rhode Island Ave., NW
Suite 909
Washington, D.C. 20036
(202) 833-2188

2. Community/Neighborhood

The most common forum for community and neighborhood dispute settlement is in local mediation centers. There are currently about 375 minor dispute resolution programs in the U.S. About a third of these are run by or closely connected with the courts, another third by the prosecutor's office, and the remainder are community or church-based programs. These programs handle cases such as disputes between landlords and tenants, neighbors and domestic disagreements. The mediators are usually community volunteers who have participated in a mediation training program sponsored by the local center.

Three well known community-based mediation programs are the Community Boards in San Francisco, the Neighborhood Justice Center of Atlanta, and the Institute for Mediation and Conflict Resolution (IMCR) in New York City. These centers all use trained volunteer mediators to handle a wide variety of local cases. Like many other more recently established programs, each offers a variety of intensive training seminars for would-be mediators. Other significant programs include the Community Relations Service (CRS) of the U.S. Department of Justice, and the private Conflict Clinic in St. Louis and Center for Dispute Resolution in Denver. For more information on these and other centers, consult the "Dispute Resolution Program Directory," published by the ABA. Write or call:

American Bar Association
Standing Committee on
Alternative Dispute Resolution
1800 M. St., N.W., Suite 200
Washington, D.C. 20036
(202) 331-2258

While the vast majority of those involved in this field are volunteer mediators, a local mediation center is an excellent place to receive free mediation training and gain actual mediation experience.

3. Congregational/Religious

Several denominational and inter-denominational programs have emerged to meet individual Christian's and congregation's needs for more effective dispute settlement. One example is our organization, the *Mennonite Conciliation Service (MCS)*, which is a network of about a dozen regional trainers and mediation centers. MCS offers services such as mediation, congregational consulting, and training seminars. For more information, write or call our office.

The *Christian Conciliation Service* (CCS) is a network of about 20 regional chapters in the U.S. (more in Canada). Most CCS chapters stress application of "Biblical principles" to conflict between Christians as an alternative to litigation. The CCS functions under the Christian Legal Society, based near Washington, D.C. Write:

Christian Legal Society
P. O. Box 1492
Merrifield, VA 22116
(703) 560-7314

The *Interfaith Conciliation Center (ICC)* is an emerging organization which aims to link conciliation efforts in various faiths. Their work was featured in the Fall, 1986, issue of this newsletter. For more information, contact:

John Horner-Ibler
Interfaith Conciliation Center
199 North Columbus Ave.
Mount Vernon, NY 10553
(914) 699-8554

The Alban Institute offers a variety of publications and seminars to equip church leaders with the tools for better conflict management. Individual membership in the Alban Institute is $25, which entitles you to receive a bi-monthly newsletter and a 15% discount on institute publications. Contact:

The Alban Institute
4125 Nebraska Ave., N.W.
Washington, D.C. 20016
(202) 244-7320

4. Criminal Justice

Mediation efforts in the criminal justice field have focused on bringing victim and offender together to encourage reconciliation and restoration as an alternative to court sentencing. The Victim-Offender Reconciliation Program (VORP) was pioneered by MCC workers in Ontario, Canada, in 1974, and spread quickly to Elkhart, Indiana, and other locations throughout the U.S. and Canada.

Paid employment opportunities in this field are limited to program directors and researchers, as VORP mediators are generally community volunteers. VORP practitioners have produced a substantial resource of articles, books, manuals and AVs to assist others in beginning or improving VORP programs. For more information, contact:

National VORP Resource Center
106 N. Franklin
Valparaiso, IN 46383
(219) 464-1400

Network for Community Justice and Conflict Resolution
298 Frederick St.
Kitchener, ON N2H 2N5
(519) 944-6549

5. Education

School-based mediation projects have emerged in a number of elementary and junior and senior high schools in the past five years. Two leading programs are in New York City (Project S.M.A.R.T.) and San Francisco (School Initiatives Program of the Community Boards). The mediators are school-aged children who are trained to intervene as "conflict managers" in disputes among their classmates. Program coordinators are adults, often school officials.

In addition to these student/student disputes, school programs are using mediation to handle student/teacher and parent/administrator conflicts. For example, the state of Pennsylvania will implement a new program in early 1987 to settle special education-related disputes through mediation. The program has trained 30 part-time mediators who will be paid on a case basis.

An additional significant area for dispute resolution professionals is teaching in the colleges, universities, law schools and seminaries which have instituted ADR programs. (The Spring issue of the Conciliation Quarterly will look at "Educational Opportunities in Alternative Dispute Resolution.") Numerous programs exist providing resources in this sector. For more information, write the:

National Association for Mediation in Education (NAME)
c/o Mediation Project
425 Amity St.
Amherst, MA 01002

6. Environmental

Over the past decade, mediation and other methods of alternative dispute resolution have gained increasing acceptance in settling environmental disputes. Decisions about dams, highways, waste disposal, water rights, zoning and land development have all been resolved with the assistance of mediators. Dr. Jay Hair of the National Wildlife Federation predicts that "in 10 years, more environmental disputes will be mediated than litigated...mediation is a growth industry."

Environmental disputes tend to be complex and involve a number of interested parties. Non-profit agencies specializing in this sector have provided most of the mediators. These include the Mediation Institute in Seattle, Washington, and others in Denver and Virginia. Environmental mediation is likely to increase as the U.S. government's Environmental Protection Agency (EPA) assists in the clean-up of toxic waste sites through "Superfund" monies.

Persons interested in developments in the environmental dispute resolution field should consider subscribing to Resolve, a quarterly newsletter of the Conservation Foundation. For a free subscription, write:

Editor, Resolve
The Conservation Foundation
1255 23rd St., N.W.
Washington, D.C. 20037

7. Family Divorce

"Family mediation" is often used generically to cover divorce and other domestic disputes, such as child support, parent child disputes and disagreements between spouses. Family and divorce mediation is probably "the fastest growing arena in which mediation is practiced," according to Christopher W. Moore of the Center for Dispute Resolution in Denver, Colorado. As an increasing number of the one and a half million divorce cases filed yearly in the U.S. are mediated instead of litigated, centers for training potential divorce mediators have proliferated.

According to Sarah Childs Grebe, "Divorce mediators typically come from the legal or mental health professions, and most mediator training programs require trainees to have advanced degrees in law or the social sciences." *(From her article, "Mediation in Separation and Divorce," in the Journal of Counseling and Development, February, 1986.)*

One major source of information is the Academy of Family Mediators, which publishes the journal, Mediation Quarterly. To become an affiliate member of the Academy costs $40 annually. Write or call:

Academy of Family Mediators
P. O. Box 4686
Greenwich, CT 06830
(203) 629-8049

8. Farmer/Lender

Mediation as a means to help debt-burdened farmers negotiate with their creditors took off in farm states suffering under the current farm crisis. In the last two years, states such as Iowa, Minnesota, Wisconsin and Kansas have implemented statewide mediation programs to resolve disputes between farmers and lenders. Program designers stress that, "Mediation is not a panacea designed to eliminate foreclosures. Rather, it provides a direct, efficient and straightforward means for negotiating complex and often emotionally-laden financial issues." *(From "A Discussion Paper on the Applications of Mediation to Disputes between Farmers and Lenders," August, 1986.)*

Most mediators active in farmer lender disputes are community volunteers trained by a mediation center under contract with the state government. The Conflict Clinic, Inc., of St. Louis, has led an effort to study and promote the use of farmer/lender programs. For more information, contact:

Bill Potapchuk
The Conflict Clinic, Inc.
University of Missouri-St. Louis
Room 347 SSB
St. Louis, MO 63121
(314) 553-6591

9. International/Cross-Cultural

Though many agencies and groups have sought for years to be a reconciling presence in conflicts around the world, the North American mediation community has only recently "discovered" conflict outside our own borders. North American mediators and trainers have travelled, mostly on short-term assignments, to international hot spots like Northern Ireland, South Africa and Central America. While some are invited to participate in actual interventions and mediation, most design and present training programs to help their hosts deal more effectively with conflict.

Some mediators and trainers in this cutting-edge field have met with criticism. Critics question the relevance of mediation techniques developed primarily in a middle class North American context for other cultures. Yet several cross-cultural mediators, like John Paul Lederach and Helena Davis (both now in Central America) have stressed a collaborative and developmental approach that draws on the conflict resolution skills of the particular culture. As well, several study centers have emerged with a particular focus on cross-cultural issues in conflict, such as the Program on Conflict Resolution at the University of Hawaii.

For more information refer to the Summer, 1986, issue of this newsletter. Copies are available upon request from our office.

10. Labor Management

Labor management mediation and arbitration is the grandparent of the alternative dispute resolution movement in North America, as it accompanied the rise of the labor union movement in the early part of this century. Professional mediators are commonly employed to facilitate contract negotiations between union and management representatives. Professional arbitrators are frequently called to settle disputes arising under the terms of the contracts, such as discharges or demotions, promotions or pensions, and seniority or safety.

With the recent decline in strength of North American labor unions, the demand for labor/management mediators and arbitrators has also diminished. One veteran federal mediator recently warned, "Don't mortgage your future on labor-management relations." However, while traditional opportunities with unionized companies have declined, many practitioners are discovering new possibilities in non-unionized dispute settlement.

The respected American Arbitration Association (AAA) publishes a wide variety of books and offers seminars for professionals in the labor/management dispute resolution field. Membership in the AAA is expensive (starting at $100 for individuals), but a publication list may be requested free of charge from:

American Arbitration Association
140 West 51st St.
New York, NY 10020-1203
(212) 484-4041

This overview of career opportunities for mediators and other ADR professionals was written by Dave Brubaker and Ron Kraybill. If you have further questions or comments, write or call:

Mennonite Conciliation Service
21 S. 12th St.
Akron, PA 17501
(717) 859-1151

Worth Reading

Starting Your Own Mediation Practice
A Workbook by Sarah Grebe, Martin Kranitz and Catherine Crockett
CASAMAR ENTERPRISES, Annapolis, Maryland

"If you like to take risks, if you like a challenge, if you like autonomy, you're a good candidate (to start your own mediation practice)." Yet as this workbook describes the many issues that a mediator beginning a private practice would need to consider, the reader may conclude that a mind for detail may also be essential. The authors look at issues like choosing a business name, an office setting and a phone listing, maintaining records, getting referrals and securing secretarial help and insurance.

The reader will have no difficulty believing that "the authors are all family mediators with succesful private practices." Grebe, Kranitz and Crockett began to do mediation training in 1982, under the tutelage of O. J. Coogler of the Family Mediation Association. In 1984, they organized the National Center for Mediation Education (NCME), which continues to train family mediators and maintains a computer listing of family and divorce mediators in North America.

But the authors' life experiences also represent one of the weaknesses of this workbook. Although much of this book would be useful to any mediator beginning a new practice, it is assumed throughout that the reader wants to start a divorce or separation mediation business. A second drawback of the workbook is its appearance, a no-frills, double-spaced, spiral-bound workbook format. Although I appreciate simplicity, a reader might expect more for the $30 purchase price. (Martin Kranitz, one of the authors, assures me that they are still seeking a publisher to produce a higher-quality, printed version.)

Despite such drawbacks, Starting Your Own Mediation Practice is useful reading for any mediator venturing out into his or her own practice. As anyone running a small business could testify, there are a tremendous amount of issues to keep in mind in establishing and maintaining a successful business. This workbook presents the issues in clear and concise ways, and asks questions which could help avoid serious potential problems. Being aware of such questions at the start could mean the difference between a successful mediation practice and a good idea that never takes off.

The authors' own experience in this field, and their position as trainers and researchers, also permits helpful observations about starting a new practice. The authors caution that it takes "from two to three years to build a viable practice providing 50% of one's gross income." And regarding *where* a mediator could establish an office, "We have found that mediation conducted at home is often very successful." In discussing *how* a mediator might organize his or her practice, they observe that "most mediators elect to practice as sole proprietors, (even though) a corporation is the best legal structure for anyone concerned with avoiding personal liability."

The appendices consume over 100 pages of this 261-page workbook, and include an extensive bibliography, again focused on family and divorce mediation. There are even sample payroll record, cash receipts and business expense forms. The authors grant permission to purchasers of the workbook to use any of the sample forms or letters in their own practice. In scanning the material I was reminded that divorce mediation involves unusually detailed agreements, covering such issues as property, tax, support, and custody questions.

While reading this workbook I thought about my own values related to divorce, and the appropriateness of using mediation in the settlement of issues related to a divorce. I was helped by a comment by Sarah Childs Grebe's comments in an article included in the appendix:

"The purpose of mediation for separation and divorce is not to make divorce more available (it doesn't), but to eliminate unnecessary trauma from the lives of people who cannot continue living together."

If you're thinking about starting your own mediation practice, you will probably benefit from this workbook. It includes a "Self Assessment Checklist" to rate your suitability for private practice before taking the plunge. So even if you discover that private practice is not for you, the $30 you invested in Starting Your Own Mediation Practice will have been well spent.

Starting Your Own Mediation Practice sells for $29.95, plus $2.50 shipping and handling. The authors have offered a 10% discount ($3 off) to Conciliation Quarterly readers who mention this review when ordering. (This offer does not imply an endorsement by the Mennonite Conciliation Service of the workbook.) You may order by writing or calling:

CASAMAR ENTERPRISES
2083 West Street, Suite 3F
Annapolis, MD 21401
(301) 261-8445

Reviewed by Dave Brubaker

Mediation as Megatrend

A Mennonite Mediator looks at the mediation trend sweeping North America and suggests priorities which focus on the essence of what we are doing.

by Dean Peachey

Is mediation a megatrend? No, mediation is not a megatrend. Could it be? Maybe. Should it be? No.

Being in conflict is hard work. Very hard work. It is also risky. And so, even though we know that engaging conflict is the right thing to do, we often don't do it. Sometimes people engage in mediation or constructive confrontation as a way of reaching an optimum solution. More often it is to avoid the alternative, whether that be a protracted custody fight, a criminal charge, an escalation of the conflict, or just ongoing aggravation and frustration.

It is not surprising then that the biggest challenge facing many mediation programs is getting people inside their doors. Small wonder that we have an abundance of people wanting to be mediators, and a corresponding shortage of people who want to be mediated. ("I enjoy conflict so long as it is not my own.") So, it may be *mediators* that are a megatrend, but I don't think mediation is. I don't think our society is ready to work that hard at handling conflict. I wish it were.

Could it be?

That brings me to the second question. could mediation be a megatrend? What if we really are succesful in our public eduation about conflict resolution? What if we teach people the value of facing rather than avoiding, or resolving rather than fighting. Will mediation then become a megatrend? Maybe.

Remember that mediation is a *vehicle* for settling disputes. It provides a process through which disputants can arrive at their own outcome. But when people are in conflict, they may not only want an end to their dispute, they may also want *justice*.

Parties perceive justice to be very important in conflict. Especially in certain kinds of conflict, as when someone has been injured or violated. In those cases, parties in our society are most likely to define justice in terms of retribution or punishment. Mediation, because of its non-coercive nature, is not well-suited to delivering that retribution or punishment.

Mediation, because of its non-coercive nature, is not well-suited to delivering retribution or punishment.

Should it be?

The third question is, *should* mediation be a megatrend? Definitely not. To encourage this is to confuse a process with the goal. Mediation can be a tool for managing and resolving conflict. It can be a tool for empowering individuals and communities, for working toward understanding, healing or justice. But we must not confuse the means and the ends, or mistake the method for the goal.

If we continue to define our task as mediation, one day soon I suspect that mediators will be an endangered species just like the men in cabooses.

We must continually ask, what is the *essence* of what we are doing? Otherwise we will go the way of the railroads. In Megatrends, John Naisbett talks about the demise of the railroads in North America. He attributes the demise to the railroads failure to recognize that their business was transportation, not maintaining railroads. So while other people were developing new approaches to transportation, the railroads went right on down their same old track, to the edge of oblivion. We have to recognize that our business is not mediation, but resolving, enabling, helping, healing, empowering. If we continue to define our task as mediation, one day soon I suspect that mediators will be an endangered species just like the men in cabooses.

Priorities

If our work is not to build mediation as a megatrend, what then is our work? Let me suggest a few areas for us to work at individually and collectively, areas that are at once divergent and interconnected.

1. We are to help people handle conflict. We do this through mediation, but also by deliberately equipping people with skills to negotiate and problem-solve in everyday life. This needs to happen not just through formal programs or in the schools, but in all our existing institutions. In facilitating this, we should not be marketing a set training package, but taking the time to learn about the participant's environment. By working in full partnership with them, we can help equip them so that next time they can be the trainers in their own setting.

Continued on page 12

Bulletin Board

Three Saturday public workshops on basic conflict resolution skills will be offered in the midwestern U.S. in February. Titled, "Lord, Make Me a Means of Your Peace," the workshops are scheduled as follows:

Feb. 7—St. Louis Mennonite Fellowship, St. Louis, MO. Led by Dick Blackburn
Feb. 7—Congregational Universalist Church of Woodstock, IL. Led by Terry Zimmerly
Feb. 21—Mennonite Church of Normal, IL. Led by Dick Blackburn

A Spring Seminar on "Conflict Resolution Skills for the Workplace" is scheduled for May 15 and 16 at the Lombard Mennonite Peace Center. The primary resource persons are Barbara Date (of Eugene, OR) and Dick Blackburn. The seminar may be extended for those wishing further training.

For more information on the above, contact:

Dick Blackburn, Director
Lombard Mennonite Peace Center
528 E. Madison
Lombard, IL 60148
(312) 627-5310

A "Victim-Offender Reconciliation Mediation Program Directory" has recently been published by the National Victim-Offender Reconciliation Resource Center, a project of the PACT institute of Justice in Indiana. The new directory lists 47 programs in the U.S., Canada and England active in VORP-type mediation. The directory may be purchased for $4.60 postpaid through the PACT Administrative Offices, 901 Washington St., POB 177, Michigan City, IN 46360. Phone (219) 872-3911.

"Bringing Emotional Healing in the Midst of Conflict"
January 30 & 31 (Friday afternoon and evening, Saturday)
Discipleship Center of Eastern Mennonite College, Harrisonburg, VA
Resource Person: Cherie Brown of NCBI, Boston
$60 registration per person, some scholarships available
For more information, call the Harrisonburg Mediation Center: (203) 433-9879, ask for Nancy Sider.

"Conflict Resolution Workshop"
March 21 (Saturday)
Bridgewater College, Bridgewater, VA
Sponsored by the Peace Committee of the Shenandoah District of the Church of the Brethren
Resource Persons: Larry Hoover, Nancy Sider, others
For more information, contact Larry Glick: (703) 879-2515 or Nancy Sider (703) 433-9879

"Mediation Training Institute"
March 27 to April 1 (Friday to Wednesday)
Florida (location undetermined as of date of publication)
Resource Persons: Barbara Date and Ron Kraybill
For more information, contact Don Booz: (305) 423-9404

Position Available: "Mediator and Trainer"
Christian Conciliation Service (CCS) of Vancouver, B.C.
The Vancouver CCS is seeking a mediator/trainer, on a V.S. basis, for a two-year term, beginning in September, 1987. In addition to actual mediation and training, the candidate will be involved in CCS publicity, public education, and some fund-raising. For more information, contact MCC Canada or Fred Kaarsmaker at MCC British Columbia, Box 2038, Clearbrook, B.C. V2T 3T8, Canada. Phone (604) 859-4141.

Directors' Circle

Faces from two different audiences appear and critically scrutinize the page each time I write this column. On one side are individuals active in the work of peacemaking from an explicitly religious standpoint, primarily the Christian faith. On the other side are individuals grounded in different philosophical frameworks, perhaps most commonly "secular professionalism".

These groups are suspicious of each other. Plaintive voices from Christian circles caution about dilution of vision and loss of principle. More subtle but equally suspicious voices from secular, professional ranks caution against provincialism, fanaticism, imposition of values, naivete. The suspicion on both sides often takes the shape of polite indifference and mutual withdrawal. This is conveniently labeled "separating private from public matters," but the unfortunate result has been the virtual disappearance of thoughtful moral discourse from the arena of public life.

I don't stand alone here in the middle. The tension is inevitable for anyone rooted in a religious community and also active in the broader world. How then to be a person of faith in the secular, professional world?

First, begin with the assumption that *everyone is religious*. It's paralyzing to believe that you alone have a personal foundation based on faith. The implication is that others are reasonable, realistic, rational, while you are soft, subjective, unempirical.

The assumption that religious people are the only persons who have foundations of faith is simply untrue. As Paul Tillich has written, everyone has a God, that to which we give "ultimate allegiance." The question thus is not whether people are religious, but rather, what do they worship? Pleasure, rationality, survival of homeland, accumulation of wealth, pursuit of justice, empiricism, a deity? In the end all humans build their worlds around unprovable assumptions made in faith about what matters and what is trustworthy. This is their religion.

We need not then be timid about being religious or about inviting others into dialogue about religion. In fact, we only submit ourselves to the religion of the *status quo* if we participate in the pretense that some are religious, and others are not. Rather, we can be confident as we invite others to be reflective, honest, and open enough to name their God. Our only hesitation is how to be most effective in initiating dialogue about matters of deep consequence.

Second, *act and speak in the tones of faith*, which by definition are gentle. If we know that all human foundations are at bottom built on faith, humility about our own perspectives will surround every interaction. When I insist, "I am right," particularly when I act on my perspectives in ways that are violent, I am no longer acting in faith. I am acting in arrogant certainty. I have stepped beyond the light of faith. The more strident my denouncements of others or the quicker my inclination to violent action, the furthur I have strayed from acknowledging that the foundation of life is faith.

Third, *focus on story telling*. The simple request, "Tell me your story," is an invitation to religious reflection. Only as people begin to tell their stories, who they are, how they've arrived here, why they've made key choices, do they begin to contemplate the premises beneath their experience. Thus to invite story telling is to invite others to name and test their God.

Likewise, when the moments come for us to bear witness to our God, story telling is a response inherently consistent with the nature of faith. Stories recount my experience of reality, and make no pretense of knowing all reality. Even a story with aspirations to universal meaning, like Christianity, will violate no one if told as story accepted by faith, not as knowledge the story teller can impose upon others.

Fourth, *focus on inquiry about values*. If story telling is the beginning of religious reflection, values inquiry is a step deeper. Thus the person of faith has reason to become skillful in a realm of conversation in which most people today are decidedly unschooled.

For example, inviting others to reflect on "how you ended up here," on personal goals, on what they see as most important in life, on the criteria that they weigh in making key decisions, and on the assumptions implicit in their use of time and resources, often initiates dialogue on values. No quick lines suffice, but inquiries such as these move people toward reflection on deeper values.

Fifth, *self-scrutiny in the presence of others* is a powerful invitation to dialogue on values. Several years ago I was astonished to see a small multitude pressing forward in response to a presentation I had made. I had shared my personal struggle to bring my own life and relationships into coherence with what I do as a mediator and teach as a trainer. For hours beforehand I had been in a cold sweat, feeling vulnerable, maybe even exhibitionist about what I felt called to share. I wasn't confident anyone else would find my struggles and concerns of interest. However, that speech led to many meaningful conversations. Five years later an occasional individual still approaches me about it.

Finally, let us devote our energy to *celebrating those places where God's reality is breaking into the world* rather than to defining where God is not. I find the preoccupation in some Christian quarters with sniffing out "Secular Humanism" particularly unhelpful. God is at work in the world even in places we may not expect. Let us celebrate the glimpses of God's presence, not indulge our suspicions about where God is absent.

Recall Jesus' annoyed response to the Pharisees who accused him of healing with power not from God. "If Satan drives out Satan, he is divided against himself. How then can his kingdom stand?" The criterion here is the practical one of healing. If it occurs, then by definition God is at work.

Thus Christian peacemakers have reason to move with ease wherever healing is occurring in the world. We embrace without hesitation those skills or techniques that genuinely contribute to healing, regardless of their apparent source. To be sure, our faith points us beyond any simple accumulation of tactics gleaned from others. For in the end, the heart of Christian peacemaking lies in the unprovable conviction that self-giving love will triumph over evil and thus is the key to history. But that conviction in no way denies that God is at work in other ways in the world. Let us not define enemies but rather persistently name allies.

Being in the middle isn't easy. There was a time I wasn't sure it was a constructive place to be, whether anyone took me seriously. More recently I have come to recognize this as a good and creative place to stand. I believe that I am able to contribute far more to everyone than if I wearied of the tension and withdrew. Here in the middle is where the Source of us all seems to bubble forth most strongly.

Ron Kraybill
Director,
Mennonite Conciliation Service

Five years ago there was no hope for really doing alternative dispute resolution as a lawyer within the traditional legal structure. There is plenty of hope now.—J. Micheal Keating, Jr., of ADR Service of Tillinghast, Collings and Graham Law Firm in Providence, R.I., at the NCPCR Conference in Denver, Colorado, June 5, 1986.

The Mediator's Prayer: "Let there be strife among thy people, Lord, lest thy servants perish." —Quoted by Harold Newman, Chairman of the New York State Public Employment Relations Board, at the October, 1986, SPIDR Conference in Chicago.

Mediation is rarely something that the less powerful parties call for. It is mainly a middle class invention. —James Laue, Director of the Conflict Clinic, Inc. Quoted in Conflict Resolution Notes, October, 1986.

Continued from page 7

2. We must develop and promote a fuller understanding of justice that is not limited to retribution or even material restitution and compensation. We need justice that is fully restorative, that strives toward the improbable goal of fully making things right again. A justice that addresses the emotional as well as material injuries that result from crime and other conflicts. Only as we develop this understanding of restorative justice will we ever begin to be able to be mediators in some of the most disruptive and violent conflicts in our society. Only then will we fully appreciate the interwoven connections between conflict and public policy, and between conflict resolution and the civil and criminal justice systems in this country.

3. We must be reaching out in a deliberate network of persons working toward a similar vision. There *are* persons quite apart from the dispute resolution field who share goals of constructive conflict management and restorative justice. Their areas of work may be quite different—education, community development, research, law, environment, family life, religion and government policy, to name a few. Their methods and tools may also diverge—mediation, advocacy, legislation, personal transformation, etc. But if we hold a common vision, we must connect, exchange resources and experiences and offer mutual support.

We need justice that is fully restorative, that strives toward the improbable goal of making things right again.

Then and only then will our work in mediation be held in perspective. We will converge in a movement that is characterized by enduring change rather than shifting trends and passing fads.

Dean Peachey is the coordinator of the Center for Community Justice and Conflict Resolution in Kitchener, Ontario. This article is adapted from a presentation by Dean at "Mediation: A Working Forum," sponsored by the Mediation Development Association of British Columbia and the Network for Community Justice and Conflict Resolution, at Vancouver, B.C., April 14, 1986. This article first appeared as a supplement to the Community Justice Report, June, 1986. Dean can be contacted at:

Network for Community Justice and Conflict Resolution
298 Frederick St.
Kitchener, Ontario N2H 2N5
(519) 744-6549

When you disagree...

"When you disagree..." is a 10 unit cassette tape package designed to improve your own or your group's ability to deal with conflict. The content of each unit ranges from understanding your personal style in conflict to listening to a live mediation. Each unit includes written materials which describe activities or discussion topics to expand on ideas presented in the tape. As each tape is under 16 minutes in length, you or your group will have plenty of time for personal reflection or group discussion. In addition to the tape series, two audio-visual productions on conflict management are available for free loan from MCC. The "When you disagree..." series is especially suited for use during a Sunday School quarter.

"When you disagree..." may be purchased from the Mennonite Conciliation Service for $45 postpaid. Purchasers will receive the complete learning package, including all tapes and written materials. To order, call or write:

Mennonite Conciliation Service
21 S. 12th St.
Akron, PA 17501
(717) 859-1151

Specify that you wish to purchase the "When you disagree..." series when you call or write. If you would like more information before ordering, request a free loan of the introduction tape to the series.

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Community Mediation Programs at a Glance*

BERKSHIRE COUNTY

Berkshire Mediation Services, P. O. Box 3822, Pittsfield, MA 01202, (413) 443-2844.

BARNSTABLE COUNTY

Cape Cod Dispute Resolution Center, 76 Enterprise Road, Hyannis, MA 02601, (508) 775-8780.

Housing Services Program, Housing Assistance Corporation, 460 West Main Street, Hyannis, MA 02601, (508) 771-5400.

Family Mediation, Center for Individual and Family Service, 175 West Main Street, Hyannis, MA 02601, (508) 771-8788.

BRISTOL COUNTY

Family Mediation, 261 Union Street, Suite 2, New Bedford, MA 02740, (508) 992-1321.

Youth Opportunity Unlimited, 1700 President Avenue, Fall River, MA 02720, (508) 674-1616.

DUKES and NANTUCKET COUNTY

Marthas Vineyard Mediaton Program, Edgartown District Court, Box 1284, Edgartown, MA 02539, (508) 627-3751.

ESSEX COUNTY

Lynn Youth Resource Bureau Dispute Resolution Services, 19 Sutton Street, Lynn, MA 01901, (617) 598-4874.

North Essex Mediators, Community Action, Inc., 25 Locust Street, Haverhill, MA 01830, (508) 373-1971.

Salem Mediation Program, Salem District Court, 65 Washington Street, Salem, MA 01970, (508) 745-4165.

FRANKLIN COUNTY

Franklin Mediation Services, 10 Osgood Street, Greenfield, MA 01301, (413) 774-7469.

HAMPDEN COUNTY

Dispute Resolution Services, Inc., 9 Stockbridge Street, Springfield, MA 01103, (413) 787-6480.

Neighborhood Youth Mediation Project, New North Citizen's Council, 2383 Main Street, Springfield, MA 01107, (413) 737-2632.

HAMPSHIRE COUNTY

UMass Mediation Project, University of Massachusetts at Amherst, 425 Amity St., Amherst, MA 01002, (413) 545-2462.

MIDDLESEX COUNTY

Cambridge Dispute Settlement Center, One West Street, Cambridge, MA 02139, (617) 876-5376.

Children's Hearings Project, Cambridge Family and Children's Service, 99 Bishop Allen Drive, Cambridge, MA 02139, (617) 661-4700.

Framingham Court Mediation Services, Inc., Framingham District Court, 600 Concord St., Framingham, MA 01701, (508) 872-9495.

Harvard Mediation Program, Harvard Law School, Pound Hall, Cambridge, MA 02138, (617) 495-1854.

Middlesex Community College Face-to-Face Mediation Program, 650 Suffolk Street, Wamalancit Mill, Lowell, MA 01852, (508) 937-5454.

Somerville Mediation Program, One Summer Street, Somerville, MA 02143, (617) 776-5931.

Tri-Cap Housing Service, 10 High Street, Medford, MA 02155, (617) 396-5841.

NORFOLK COUNTY

Brockton District Court Mediation Project, 155 West Elm Street, Brockton, MA 02401, (508) 587-8000, x345.

Brockton Consumer Advisory Commission Mediation Program, 50 Maple Avenue, City Hall Annex, Brockton, MA 02401, (508) 580-7184.

Brookline-Newton Community Mediation Program, 43 Garrison Road, Brookline, MA 02146, (617) 277-8107 or (617) 232-4752.

Quincy District Court Mediation Service, One Dennis Ryan Parkway, Quincy, MA 02169, (617) 471-1650.

PLYMOUTH COUNTY

Community Mediation, Inc., 169 Summer Street, Kingston, MA 02364, (617) 585-2234 or (617) 585-3885.

SUFFOLK COUNTY

AAA Mediation Services, American Arbitration Association, 133 Federal Street, Boston, MA 02110-1703, (617) 451-6600.

CORE Family Mediation Project, 18 Merridian Street, East Boston, MA 02128, (617) 569-8717.

Crime and Justice Foundation Mediation Program, 95 Berkeley Street, Boston, MA 02116, (617) 426-9800.

Mediation Clinic, Graduate Program, Conflict Resolution, University of Massachusetts-Boston, Boston, MA 02125, (617) 287-7370.

Urban Community Mediators, 195 Ashmont Street, Dorchester, MA 02124, (617) 825-1000

Urban Mediation Project, Dorchester Youth Collaborative, 1514-A Dorchester Avenue, Dorchester, MA 02122, (617) 288-1748.

WORCESTER

Community Mediation Center, Worcester Community Action Council, 340 Main Street, Room 555, Worcester, MA 01608, (508) 754-5322.

Mediation Services, YOU, Inc., 81 Plantation Street, Worcester, MA 01604, (508) 755-7660.

North Central Court Services, Inc., 100 Elm Street, Fitchburg, MA 01420, (508) 345-2111, Extension 242.

*For More Information about Community Mediation in Massachusetts

Programs are listed by county and the location of their home office. Many programs serve other geographic areas. For information about the types of services provided, call the program nearest to you or contact one of the following statewide agencies or organizations:

Massachusetts District Court Mediation Program, Holyoke Square, Salem, MA 01970, (508) 745-9010.

Face-to-Face Mediation, Department of the Attorney General, 131 Tremont Street, Boston, MA 02111, (617) 727-2200.

Massachusetts Association of Mediation Programs, 133 Federal Street, Boston, MA 02110, (617) 695-6088.